



October 24, 2019

Mr. Ron Epstein
Executive Deputy Commissioner/CFO
New York State Department of Transportation
50 Wolf Road
Albany, NY 12232

Dear Mr. Epstein:

Thank you for submitting an Expression of Interest (EoI) to the Federal Highway Administration (FHWA) on behalf of the New York City Department of Transportation, the Triborough Bridge and Tunnel Authority and your department, requesting authority within the Value Pricing Pilot Program (VPPP) to toll motor vehicles within New York City, south of 60th Street, on existing roadways. This letter responds to your EoI and outlines further information that is required. This letter does not constitute an approval or a denial, rather it simply requests additional information that will be necessary as FHWA contemplates future actions.

As you are aware, the VPPP is intended to demonstrate whether and to what extent roadway congestion may be reduced through application of congestion pricing strategies, and the magnitude of the impact of such strategies on driver behavior, traffic volumes, transit ridership, air quality and availability of funds for transportation programs. In fact, of the multiple VPPP projects that have been implemented, FHWA has found that congestion pricing can be very effective for reducing traffic, improving roadway capacity, and providing reliable trips for automobiles as well as commercial vehicles and transit vehicles.

The FHWA has reviewed your EoI to consider the tolling and pricing concepts. Under the various programs in Federal law that allow tolling of existing infrastructure, the VPPP appears to be the best potential fit, provided the overall purpose of variable tolling remains to reduce roadway traffic congestion. While the EoI indicates that a variable pricing structure will be implemented to help mitigate congestion, it does not sufficiently express the degree to which the proposed tolling framework would reduce roadway traffic congestion and on which facilities. Further, many of the implementation and operational details are still in early stages of development, including the various impacts associated with traffic diversion.

For FHWA to conduct a thorough assessment, the Agency requests the findings of a thorough traffic and revenue study to include the following, among other pertinent facts, impacts, and options:

- A. Estimated reduction in traffic volumes and congestion levels for various types of system users, including commercial vehicles and transit vehicles;

- B. How tolling charges will be varied in the variable priced system, and if and how adjustments to the toll pricing schedule will be considered and approved;
- C. Anticipated effects on driver behavior, especially as impacted by congestion charge exemptions that may be granted, as well as impacts on low-income drivers and relevant mitigation measures under consideration;
- D. Proposed use of revenues generated by the project, especially for operating and maintaining the roadway facilities that will be tolled;
- E. Potential impact on transit ridership and plans to sustain the area's transit operations, infrastructure, and rolling stock in a state-of-good-repair;
- F. Intended use of Federal-aid highway program funds to implement the project, if applicable and if so, procurement and sourcing plans, including plans to maximize domestic content; and,
- G. Considerations of the ITS Regional Architecture, systems engineering, and electronic tolling interoperability.

The FHWA anticipates that much of this information will be further developed and supported by analysis done for the traffic and revenue study and during the environmental review process.

In addition, the proposed project is an area-wide congestion pricing system, which is unprecedented in the VPPP and such type system has not yet been implemented in the U.S. Therefore, FHWA must consider the precedents set by this project. One such consideration is that the VPPP requires maintenance of the infrastructure that is subject to the tolling allowed by the program. However, per our interpretation of the state law that initiates this project, toll revenues must be used almost exclusively for improving transit systems. The FHWA therefore requests further information regarding the planned use of revenues and a certification that the highway and street infrastructure and traffic control devices within the proposed pricing area will be maintained adequately, as is required in other VPPP projects.

If the Central Business District Tolling Project proceeds to the implementation stage, a toll agreement between FHWA, your agency, and the other project partners would need to be developed and signed to secure Federal tolling authority under the VPPP. Upon execution of the toll agreement with FHWA, New York State DOT (NYSDOT) and your partners could then implement the project and collect and use the toll revenues consistent with the legal requirements outlined in Title 23, United States Code.

The FHWA recognizes that NYSDOT and its partners seek an expedited deployment schedule. We will review your information as expeditiously as possible following your submittals, but we cannot guarantee that our determinations will meet your desired start date, especially considering the complexity and new constructs of cordon pricing that the VPPP has not previously authorized elsewhere.

Further information on the VPPP is available on FHWA's Tolling and Pricing Opportunities Website: http://www.ops.fhwa.dot.gov/tolling_pricing/index.htm. As with all VPPP proposals, the Department stands ready to provide technical assistance as requested. If you have any

specific questions or require additional information related to the Federal interests or requirements associated with tolling authority under the VPPP or a toll agreement, please feel free to contact the FHWA Division Administrator for the New York Division Office, Mr. Rick Marquis, at 518-431-8897.

Sincerely,

A handwritten signature in blue ink, appearing to read "Nicole R. Nason", with a long horizontal flourish extending to the right.

Nicole R. Nason
Administrator

cc:

Marie Therese Dominguez, Commissioner, NYSDOT

Polly Trottenberg, Commissioner, NYCDOT

Patrick Foye, Chairman and CEO, Metropolitan Transportation Authority

Allison L. C. de Cerreno, Senior V.P., Business Operations & Transformation Officer,
Triborough Bridge and Tunnel Authority

William Carry, Senior Director for Special Projects, NYCDOT

EXHIBIT H



U.S. Department
of Transportation
**Federal Highway
Administration**

1200 New Jersey Ave., SE
Washington, DC 20590

February 20, 2025

Marie Therese Dominguez, Commissioner
New York State Department of Transportation
50 Wolf Road
Albany, NY 12232

Ydanis Rodriguez, Commissioner
New York City Department of Transportation
55 Water Street, 9th Floor
New York, NY 10041

Catherine T. Sheridan, President
MTA Bridges and Tunnels
2 Broadway, 23rd Floor
New York, NY 10004

Dear Commissioner Dominguez, Commissioner Rodriguez, and President Sheridan:

I am writing pursuant to Secretary Duffy's February 19, 2025, letter terminating the November 21, 2024 Value Pricing Pilot Program (VPPP) Agreement under which the Federal Highway Administration (FHWA) has approved the implementation of tolls as part of the New York's Central Business District Tolling Program (CBDTP). The Secretary's letter stated that the FHWA will contact the New York State Department of Transportation (NYSDOT) and its project sponsors, Triborough Bridge and Tunnel Authority (TBTA) and New York City Department of Transportation (NYCDOT), to discuss the orderly cessation of toll operations under the CBDTP.

In order to provide NYSDOT and its project sponsors time to terminate operations of this pilot project in an orderly manner, this rescission of approval and termination of the November 21, 2024 Agreement will be effective on March 21, 2025. Accordingly, NYSDOT and its project sponsors must cease the collection of tolls on Federal-aid highways in the CBDTP area by March 21, 2025. Please work with Rick Marquis, the FHWA's New York Division Administrator, to provide the necessary details and updates regarding the cessation of toll operations.

Sincerely,

A handwritten signature in black ink that reads "Gloria M. Shepherd".

Gloria M. Shepherd
Executive Director

EXHIBIT I

2 Broadway
New York, NY 10004
212-878-7200 Tel

Janno Lieber
Chair and Chief Executive Officer



Metropolitan Transportation Authority

State of New York

March 30, 2025

The Honorable Sean Duffy
Secretary
U.S. Department of Transportation
1200 New Jersey Ave, S.E.
Washington, D.C. 20590

Transmitted via email to FTA Regional Administrator Michael Culotta

Dear Secretary Duffy:

I received your March 18 letter and appreciate the U.S. Department of Transportation's interest in the safety of the Metropolitan Transportation Authority (MTA) system, our riders, and workers. The MTA has made great strides to improve safety, but along with our key partners like the New York Police Department (NYPD), we are determined to continue driving down crime in the transit system.

The New York City (NYC) metropolitan area served by the MTA is the economic engine of New York State (NYS), and also the nation, generating almost 10% of U.S. gross domestic product. Because of our density – nine times Sunbelt cities like Houston and Phoenix – the NYC region's economy is completely dependent on the ability to move people around via mass transit. On a typical weekday in 2025, the MTA is carrying over 6 million mass transit riders.

All told, the MTA accounts for 43% of total public transit ridership nationwide, so the capital, operational, and safety needs, as well as the challenges we face daily, are of a different magnitude than most transit agencies – and also why our partnership with the federal government is so important.

Your letter raised a wide range of issues with respect to safety and security. As we have stated widely and often, the MTA is passionate about the issue of safety and – along with providing frequent and reliable service – we make it our top priority. We are attacking these complex challenges on a number of fronts, from increased enforcement to physical hardening to cross-disciplinary teams to help people struggling with mental illness.

Summarized below is background about our operating environment, and some key trends, followed by more detailed responses to your specific questions and additional information.

- ***New York City remains among the very safest big cities in America.*** FBI data show that per capita crime in our city was approximately one-quarter the rate of Memphis, half the rate of San Antonio and Kansas City, and one-third less than Milwaukee and Indianapolis. Further, crime on the subway is an increasingly small percentage of overall crime in the city.
- ***The MTA operates one of the safest transit systems in America.*** According to the FTA's National Transit Database (NTD), transit riders in Minneapolis and Dallas are 13 times more likely per trip to be the victim of an assault than NYC Transit (NYCT) riders – with Minneapolis and Dallas averaging more than 3 customer assaults per million trips versus NYCT's 0.25 per million trips. NYCT ranks among the safest urban transit systems, with Chicago and Houston

transit riders 8 times more likely, San Diego transit riders 7 times more likely, Los Angeles riders 6 times more likely, and Washington, D.C. riders 3 times more likely than NYCT riders to be victims of assaults on a per trip basis. We are in ongoing communication with other transit agencies to share actions, information, and lessons learned on our efforts to promote customer and employee safety.

- ***Thanks in large part to the New York City Police Department (NYPD), the agency responsible for policing the transit system, crime in the NYC subway system is among the lowest in the last 30 years, since these statistics were first collected.*** The MTA, along with the Governor of New York and Mayor of NYC, work in close partnership to deploy resources effectively and implement safety and security measures. In 2024, subway crime was 65% lower than in 1997, the first year when comparable data was available. Today, subway crime represents less than 2% of total NYC crimes.
- ***So far in 2025, crime in the subway system is down.*** In the first two months of 2025, crime was 47% lower in the subway system than the first two months of 2020, immediately preceding the COVID-19 pandemic, and 24% lower than the same period in 2024. Felony assaults were down 7% in the first two months of 2025 compared to last year, but up 11% from the first two months of 2020 in large part due to: (1) the disturbing trend of increased assaults against NYPD officers who are patrolling the system in larger numbers, especially while enforcing fare evasion and quality-of-life offenses; and (2) a stronger push by the MTA to prosecute aggressions committed against transit workers as felony assaults. The MTA, working with the NYPD and the Governor, is laser-focused on a larger police presence in the system, with the tools needed to successfully stop and prosecute these crimes.
- ***Transit worker safety is a top MTA priority, as reflected by our efforts to increase protections for workers and penalties for attackers.*** Over the last two decades, the MTA has continually and successfully fought for changes to the New York State Penal Law so that transit workers from train operators to station cleaners can be better protected. In addition to employing mitigation measures and collaboration with labor, the MTA also hired former Assistant District Attorneys and criminal justice professionals to advocate with prosecutors and judges to seek maximum penalties for offenses against transit workers. Assaults against NYCT transit workers were down over 30% in 2024 versus 2023.
- ***Actions undertaken by Governor Hochul and NYC leadership are already making a significant impact.*** Since 2022, Governor Hochul has allocated millions of dollars to support increasing the presence of NYPD and deploying National Guard members to promote subway safety. She also funded capital improvements, like retrofitting MTA's entire 6,500+ fleet of subway cars with cameras to supplement the 10,000+ cameras on station platforms and mezzanines. In January, the Governor provided funding necessary to place two NYPD officers on every one of the 150+ subway trains overnight, and NYPD Commissioner Jessica Tisch also announced a massive redeployment of NYPD officers from administrative roles to patrol duties, as well as a renewed focus on quality-of-life offenses in the subway system.
- ***The MTA continues to fight back against fare evasion.*** In the second half of 2024, fare evasion on subways declined by 25% and declined by 9% on buses, thanks to a range of enforcement efforts and physical changes to fare payment infrastructure. The MTA has dedicated \$1 billion in the proposed 2025-2029 Capital Plan to procure and install new full-height modern fare gates

like those seen in Washington, D.C., which resulted in the 83% fare evasion reduction recently cited by WMATA.

- ***The MTA does not receive a fair share of federal funding for transit or for transit security, but nevertheless far exceeds federal security and safety grant expenditure standards.*** As indicated above, MTA carries 43% of national transit riders but receives only 17% of the federal formula funding dedicated to public transportation. This longstanding inequity is exacerbated by the downward trend in federal assistance for transit security from the U.S. Department of Homeland Security (DHS). The MTA more than offsets the shortfall in federal support with its own money: in 2024, the agency spent an estimated \$346.3 million on crime and fare evasion prevention, when federal grant standards called for a minimum of \$8.2 million – spending more than 42 times the 1% requirement. The MTA also committed more than 20 times the 0.75% minimum requirement in safety grant standards, not including billions of dollars spent annually on state of good repair.

Thank you again for the opportunity to engage on this critical issue. We look forward to an ongoing dialogue about our efforts to improve safety and security and how the federal government can partner with us to provide safe, frequent, and reliable service to nearly half of the nation's transit riders. I also would like to invite you to New York to tour any of our projects or initiatives firsthand.

Sincerely,



Janno Lieber

cc: Hon. Marc Molinaro, Nominee to be FTA Administrator
Michael Culotta, FTA Region 2 Administrator
Demetrius Crichlow, President, NYC Transit
Michael Kemper, MTA Chief Security Officer
Jessica Tisch, NYPD Commissioner
Joseph Gulotta, Chief, NYPD Transit Bureau

MTA Safety and Security

Below are responses to the questions in your March 18 letter, followed by more detailed statistics as well as recommendations for other ways the Federal government can support transit. The MTA is deeply committed to transparency, and we've also included links to publicly-accessible reports and data below, and in Exhibits A and B.

Responses to March 18 Letter

1. NYCT actions and plans to reduce crime on its system.

a. Transit Worker Safety

The MTA is committed to physically protecting our workforce and actively advocating for their safety. Assaults committed against the MTA's employees are unacceptable, but recent trends are moving in the right direction. Status of de-escalation training, other measures to keep our workforce safe, and trends are below.

(i) De-Escalation Training

NYCT has a program to provide all customer-facing employees with regular and recurrent de-escalation training that provides workers with opportunities to practice de-escalation skills. The elements of the trainings provided by NYCT's Department of Subways and Department of Buses are described in the Safety Risk Management Report submitted by NYCT to FTA in January 2025 in response to General Directive (GD) 24-1.

As reported in response to GD 24-1, NYC Transit completed de-escalation training for all 12,500 bus operators, trains all newly hired bus operators, and holds bi-annual refresher training for 6,000 bus operators per year, which is on target for 2025. NYCT's de-escalation training program for the subway workforce continues on pace as previously reported, with all of our nearly 2,400 Station Agents having been provided training during 2024. So far in 2025, NYCT has provided de-escalation training to an additional 188 Conductors, 259 Train Operators, and 97 Station Cleaners, which is consistent with the plan to train one-third of its workers annually. NYCT is on target to implement online de-escalation modules starting in June 2025. As noted in NYCT's previous submission to FTA, it is expanding de-escalation training to include training for maintenance transit workers. NYCT Subways is scheduled to complete training for 100% of required staff by the end of 2026.

NYC Transit's current training status by role is:

Job Title	Count of Workers	Population Trained (%)
Bus Operator	12,500	12,500 (100%)
Station Agent	2,392	2,392 (100%)
Conductor	3,552	961 (27%)
Train Operator	3,912	944 (24%)
Station Cleaner	2,013	251 (12%)

Please note that in addition to these trainings, NYC Transit provides all of its employees, including customer-facing and maintenance employees, with annual training required under New York's Workplace Violence Prevention Law. The purpose is to ensure that the risk of workplace assaults is evaluated by public employers and that such employers implement programs to prevent and minimize the hazard of workplace violence. NYCT's workplace violence prevention program includes evaluation of workplace violence risks and annual training that includes instructions on identifying, avoiding, and de-escalating situations that could lead to workplace violence.

(ii) Assaults on Transit Workers¹

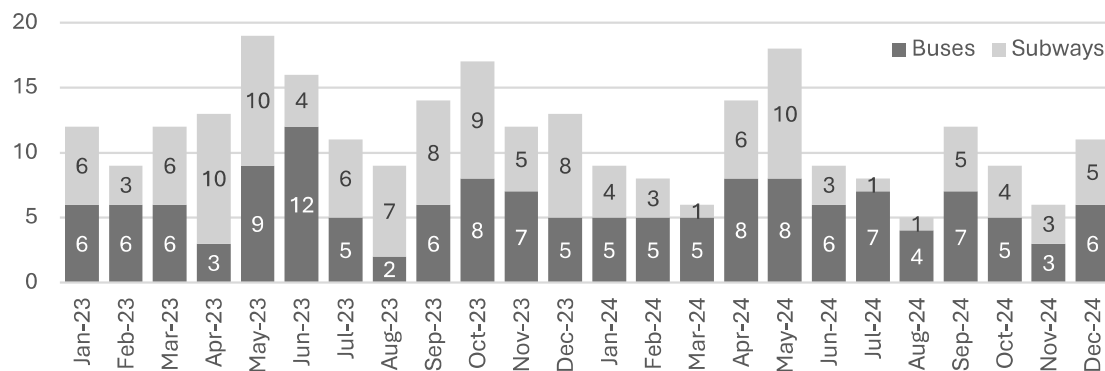
NYCT maintains a zero-tolerance policy toward all forms of workplace violence and NYCT does not tolerate any act of violence in our system. Assaults on transit workers are crimes and immediately responded to by the appropriate internal and external departments following the guidelines outlined in the New York State compliant Workplace Violence Prevention Program (WVPP) and Policy Instruction 1.20.0.

Assaults, including both felony and misdemeanor, committed against transit workers declined by over 30% from 2023 to 2024, and year-to-date the NYPD recorded three felony assaults against MTA employees. This continued trajectory would mean even fewer felony assaults on transit workers in 2025. The MTA reports on incidents of workplace violence under both Labor Law and NYS Penal Law on our metrics dashboard².

Figure 1. Total NYS Penal Law Assaults (including felony and misdemeanor)

Year	Buses	Subways	Other	Total
2023	75	82	12	169
2024	69	46	1	116
Net Change	-6	-36	-11	-53
% Change	-8%	-44%	-92%	-31%

Figure 2. Transit Worker Assaults by Month, January 2023 through December 2024



¹The data in this document refer to incidents that meet the NYS Penal Law elements of Assault. As required by federal regulation, NYCT reports data to the NTD relating to incidents that meet FTA's definition of "Assault on a Transit Worker".

² <https://metrics.mta.info/?security/workplaceviolence>

Felony assaults against transit workers are higher in large part due to the MTA's ongoing and successful efforts over the last 20 years to amend the NYS Penal Law to classify aggressions committed against transit workers as felonies. And while transit worker assaults are down, representing 7% of total felony assaults in 2024 vs. 10% in 2023, the MTA continues to pursue and prosecute aggressions committed against transit workers with maximum penalties.

The MTA is also particularly focused on the impact of recidivist offenders in this crime category. In 2023, 38 people who were arrested for assaults on transit employees committed a combined 1,126 crimes in the city³. It is critical that repeat offenders are kept out of our system to protect the safety of transit workers and MTA riders, and the MTA continues to urge law enforcement and prosecutors to prioritize those crimes, including by investing in cameras and personnel to strengthen cases.

MTA workers are not alone in this pattern of attacks on public servants. In 2024, FTA NTD data indicated that NYCT ranked fourth highest among transit operators in transit worker assaults per million vehicle revenue hours, behind Minneapolis Metro Transit, Chicago CTA, and Cleveland RTA. We are in ongoing communication with other transit agencies across the country to share responsive actions, information, and lessons learned.

(iii) Summary of Mitigations

As stated in the MTA's January 2025 response to GD 24-1, the MTA has implemented a wide range of mitigation measures, including physical barriers, procedural changes, enhanced customer communications, and additional uniformed officers.

Protective Barriers, Signage, and Procedures. All buses (~5,900) have been retrofitted to include protective barriers around the driver's compartment to better protect operators from interference or harassment, and all new buses will be delivered with barriers and/or full "cockpit"-style enclosures of the operator cab. The MTA has also widely posted messaging and signage throughout the system that communicates the rules, procedures, and penalties for offenses against transit workers.

The MTA continues to meet quarterly with the plurality union (TWU Local 100) at the Joint Labor-Management NYC Transit Safety Committee to review risks, discuss the efficacy of safety mitigations, identify annual safety performance targets, and to develop and/or adjust operating policies and procedures to maximize worker safety.

Video Monitoring. NYCT has installed approximately 101,000 cameras in subway cars, subway stations, and buses. In 2024, Governor Hochul funded the cost of retrofitting the MTA's entire 6,500 fleet of subway cars with cameras. Currently there are more than 16,000 cameras in subway cars, and all cars have at least one customer-facing camera. These cameras supplement the over 16,000 already on station platforms and mezzanines, including platform cameras that face and record the conductor's cab. The new R211 cars include both customer-facing cameras and cameras in the operator and conductor cabs. In addition, we are procuring cameras to retrofit operator and conductor cabs in the existing fleet.

³ [Transcript: Mayor Adams Appears Live On NY1's "Mornings On 1" | City of New York](#)

We also have a total of 69,000 cameras on buses. All new buses delivered are equipped with both operator-facing and on-board security cameras. New buses, in combination with the almost 1,500 older buses we have retrofitted, make 95% of the fleet equipped with on-board security cameras. The remaining 5% are our oldest buses, which will be retired and replaced with new camera-equipped buses by the end of next year. Older cameras have been modernized to enable better integration with NYPD operations and real-time incident response.

All video surveillance feeds are available to the NYPD for use in their investigation and law enforcement efforts. Video records are also used by District Attorneys and have been critical in bringing cases against criminals assaulting transit employees. In the year ahead, the MTA is installing even more cameras in subway conductor cabs and on station platforms to improve coverage and enhance transit worker protection.

Worker Advocacy. The most significant recent transit-related expansion of the NYS Penal Law was adopted in 2022, which included station customer assistants, transit workers who collect/sell tickets, employees who clean and/or maintain buses, subways tracks, commuter rail tracks, train yards or other transit station structures. Additional titles were added in 2024. This ensures that a broader range of MTA workers are better protected from aggressions, and that the MTA can pursue stronger consequences when crimes are committed. In addition, in August 2024 the MTA created a Criminal Justice Advocate's office, hiring a former District Attorney and NYPD counsel to work with prosecutors and judges to press for the maximum penalties for these offenses. The office has appeared at 100 court appearances and meets regularly with law enforcement and District Attorney Offices in NYC and the surrounding region. The MTA has installed thousands of signs on its subway and bus fleets and in its stations that state assault on a transit worker is a felony.

Deployment. The NYPD is responsible for policing the NYC Transit system. Following the 1995 reorganization of policing in the transit system, the NYPD Transit Bureau became the sole agency responsible for law enforcement on MTA's subways and buses. The NYPD is a City agency that reports to the Mayor of NYC. However, the MTA – a State authority – and the Governor of New York help fund the NYPD Transit Bureau's efforts, collaborate with the NYPD analyzing trends to inform their deployment, and implement a wide range of safety and security measures. More information about the NYPD Transit Bureau, its transit districts and oversight, and data can be viewed on NYPD's website: <https://www.nyc.gov/site/nypd/bureaus/transit-housing/transit.page>.

b. Fare Evasion

MTA is advancing a broad range of initiatives to reduce fare evasion, which not only impacts our operating budget and our ability to run quality service, but also creates a sense of lawlessness that undermines the perception of public safety in the system.

Historic Context. Over the past seven years, prosecution of fare evasion and theft of service is down significantly, coinciding with a significant spike in those offenses.

Recent Data. During the COVID-19 pandemic, fare evasion surged in the MTA system, as it did in many other transit systems. In part this was attributable to a pandemic era policy of having riders

not board buses at the front door and waive payment in an effort to protect bus operators, many of whom died in the early days of COVID. By early 2024, the fare evasion rate had reached 14% on subways and 48% on buses. However, because of the interventions detailed below, we have recently experienced declines in fare evasion. Fare evasion on subways was down 26% and 9% on buses in the second half of 2024. The MTA reports fare evasion data quarterly for subways and buses on our data dashboard at <https://metrics.mta.info/?subway/fareevasion> and <https://metrics.mta.info/?bus/fareevasion>, and also on NYS's Open Data portal⁴.

Interventions. The MTA has been a national leader in the efforts to tackle fare evasion. In 2022, the MTA convened a Blue-Ribbon Panel with leading experts in a variety of fields to propose interventions as we continue to press for stronger consequences. The MTA is in the process of implementing the panel's recommendations, which were published in May 2023⁵. Recent initiatives include:

- *More enforcement of fare payment.*

Increased NYPD presence across the system has led to more summonses and arrests for those caught trying to beat the fare. In 2024, the NYPD issued over 139,000 summonses for subway fare evasion and over 4,000 for theft of service on buses, an increase of 11% and 330% on subways and buses respectively compared to 2023. Fare evasion arrests on the subway system were also up, year-on-year by 118%, and up 400% over the last two years, from approximately 2,000 in 2022 to nearly 11,000 in 2024⁶. However, even more dramatic reductions in fare evasion will require district attorneys and judges to reverse the trend of non-prosecution for those offenses.

In 2024, the MTA hired 1,000 unarmed gate guards to ensure our emergency exit gates in the subway system are used only as intended, rather than act as revolving doors into and out of the system. The MTA also deployed EAGLE Teams on bus routes, with NYPD support, to enforce payment and issue summonses. EAGLE Team inspectors are charged with inspecting fares on local and Select Bus Service routes. Thanks to this effort, fare evasion arrests on buses were also up, from 50 in 2023 to 362 in 2024, an increase of nearly 625%. The Governor has funded the expansion of these civilian fare enforcement teams with more than 80 new staff.

- *Changes to the physical environment.*

The MTA's next five-year capital plan, as proposed, includes \$1.1 billion for modern fare gates at 150+ stations. WMATA recently reported that since installation of 1,200 faregates at Metrorail stations, it experienced an 82% reduction in fare evasion, so we are optimistic about the return on this investment. In the meantime, the MTA has installed modern fare gates with tall and wide panels at four of the busiest intermodal subway stations. Modern fare gates are essential for mitigating fare evasion in the subway system, and the MTA has funding to install modern faregates at 20 subway stations each year in 2025 and 2026. We are also modifying fare payment infrastructure to reduce fare evasion in the subways, including turnstile

⁴ Bus fare evasion data, dating to 2019:

https://data.ny.gov/Transportation/MTA-Bus-Fare-Evasion-Beginning-2019/uv5h-dfhp/about_data

Subway fare evasion data, dating to 2018:

https://data.ny.gov/Transportation/MTA-NYCT-Subway-Fare-Evasion-Beginning-2018/6kj3-ijvb/about_data

⁵ <https://www.mta.info/document/111531>

⁶ Exhibit A

modifications to eliminate “back-cocking,” and a range of lower-cost interventions devised by NYCT workers, such as spiked metal shields to make it more difficult to jump over the turnstiles. We are deploying delayed egress at emergency exit gates, which slightly increases the time needed for doors to open and deters improper use of the gates as an exit route. The MTA has already installed delayed egress at 50 subway stations, with another 100 stations planned by the end of 2025.

▪ *Programmatic efforts to educate the public and to support low-income New Yorkers.*

The MTA has deployed public messaging and customer-facing campaigns throughout the system to communicate the importance of fare payment. In partnership with the City and NYC Public Schools, the MTA has rolled out new student OMNY cards that enable tap-to-pay with expanded benefits, like unlimited time use restrictions and increased transfers, and a student information campaign focused on the importance of fare payment⁷.

The ongoing rollout of tap-to-pay will also facilitate fare enforcement, since proof-of-payment is embedded in the technology. In the year ahead, as MetroCard winds down, MTA will devise a strategy to implement proof-of-payment using OMNY on buses with support from EAGLE teams.

Fare evasion should not be a crime of poverty, and, in partnership with the City of New York, transit has been made more affordable for low-income New Yorkers through the Fair Fares NYC program. This City program provides the 365,000 enrolled NYC residents with a 50% discount on subway and bus fares. As of January 2025, the income eligibility standard was increased to 145% of the federal poverty level, up from 120%, making low-cost transit available to nearly 200,000 more low-income and working-class New Yorkers that are now eligible for discounts.

c. Criminal Activity and Public Safety Initiatives

Recent Trends

NYC is one of the safest big cities in America. The FBI’s most recent *Crime in the United States Annual Report* for U.S. cities indicated that in NYC, there were 31 total crimes committed per 1,000 residents in 2023, falling well below the top city Memphis, which has 112 crimes per 1,000 residents. NYC’s crime rate was roughly half that of cities like Denver (68), Kansas City (64), San Antonio (61), Houston (56), and Nashville (53), and one-third below cities like Milwaukee (41) and Chicago (40)⁸. Overall, crime in the NYC transit system represents less than 2% of total NYC crime⁹.

NYC Transit crime trends. NYC has experienced a historic reduction in subway crime over the last three decades. In 2024, the NYPD reported 2,213 major felonies in the subway system, the lowest outside of pandemic times¹⁰ in 15 years, and among the lowest since 1997, the earliest

⁷ <https://omny.info/students>

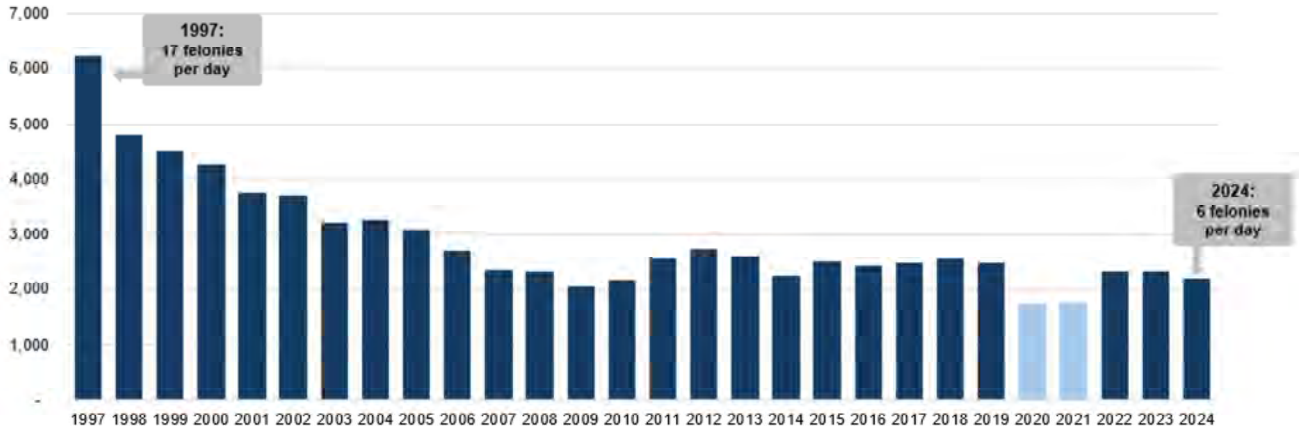
⁸ FBI Crime Data Explorer, *Crime in the United States Annual Report 2023*, <https://cde.ucr.cjis.gov/LATEST/webapp/#/pages/home> - the most recently available data.

⁹ <https://compstat.nypdonline.org/>

¹⁰ In 2020 and 2021, ridership fell as low as 10% of pre-COVID levels. With fewer people in the subway system, major crimes in those years were lower than 2022 onward. Please refer to <https://metrics.mta.info/?ridership/daybydayridershipnumbers> for more information.

comparably measured year on record. Major felonies in the subway in 2024 were down 64% compared to 1997, when there were 6,218 major felonies—averaging to 17 felonies per day versus 6 felonies per day last year¹¹.

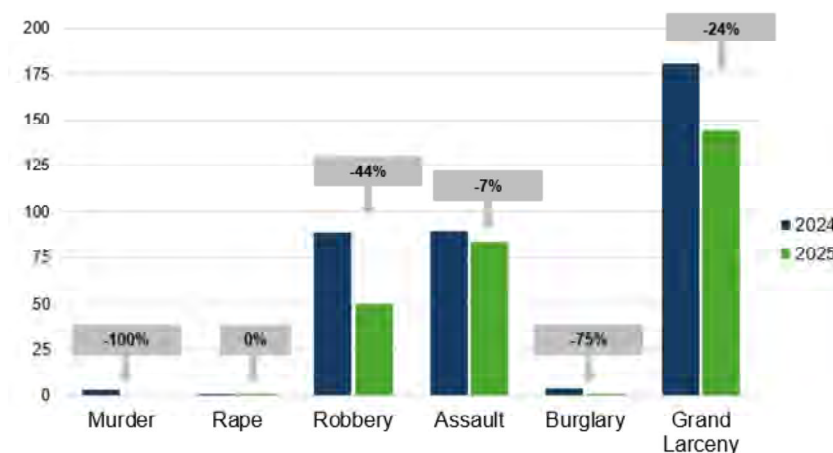
Figure 3. Major Felonies in the Subway System, 1997 to 2024



Note: light blue indicates heightened COVID-19 pandemic years

This year, subway safety is trending in the right direction. According to the NYPD, crime in the subway system is down 24% in the first two months of 2025 compared to the same period in 2024. There were declines across six of the seven major crime categories year-on-year, as seen in Figure 4 below. Compared to the first two months of 2020, prior to the COVID-19 pandemic, crime is 47% lower in the first two months of 2025.

Figure 4. Major Felonies by Category, Jan-Feb 2024 vs. Jan-Feb 2025



Subway crime data, which NYPD prepares, are available at NYPD's [CompStat 2.0 data portal](#), reported monthly by NYPD to the MTA Committee on NYCT/MTA Bus for members of the public and the MTA Board¹², reported monthly by MTA on our [data dashboard](#), and available via the NYS Open Data Portal, NYC Open Data, and on NYPD's website.

¹¹ Exhibit A

¹² <https://www.mta.info/transparency/board-and-committee-meetings>

National context. The NYCT system ranked among the lowest of the nation's large transit agencies according to the NTD. The latest data indicate NYCT had 0.25 customer assaults per million unlinked passenger trips, compared to Metro Transit in Minneapolis and DART in Dallas, which had 3.27 and 3.23 customer assaults per million unlinked trips respectively. These data also show that Chicago and Houston transit riders are 8 times more likely, San Diego transit riders are 7 times more likely, Los Angeles riders are 6 times more likely, and Washington, D.C. riders are 3 times more likely than NYCT riders to be victims of assaults on a per trip basis¹³.

Felony Assaults

Though overall felonies are down, the increase in felony assaults warrants changes to policy reform. The drop in felonies over the last 30 years is due to significant decreases in robberies (-79%) and grand larcenies (-67%), which accounted for nearly three-quarters of all major subway crimes in 2024. However, felony assaults, which represented one-quarter of major subway crime in 2024, are up 16% compared to 1997¹⁴.

Increased assaults on NYPD Officers. This trend is in large part due to the disturbing pattern of increased assaults on NYPD officers who are patrolling the system in larger numbers and increased enforcement of fare compliance and quality-of-life offenses. Felony assaults on NYPD officers in the subway system increased by 152% from 71 in 2019 to 179 in 2024. That means that the share of total assaults committed against NYPD officers grew from 19% to 31% of total felonies from 2019 to 2024¹⁵.

The increase in these assaults is directly correlated with the increased enforcement of fare payment and other quality-of-life offenses. Over just the last two years, total arrests in the subway system were up 158%, significantly outpacing the increase in assaults, which were up by 4% from 2022 to 2024¹⁶.

Addressing recidivist offenders. The NYPD reported that of the 13,600 arrests made in the transit system in 2023, 124 people were arrested five or more times in that same year. Those 124 people have a combined record of 7,500 arrests¹⁷. Recidivist offenders pose a public safety threat to our workers and our riders. The MTA continues to advocate for harsher penalties for repeat offenders.

Public safety campaigns and increased reporting. Since April 2023, NYCT has made over 29 million announcements on in-service subway cars notifying riders when police are present on the platform in case assistance is needed, and where feasible, officers tell conductors when they board trains so announcements can be made advising customers that a police officer is on the train. The presence of more NYPD officers on subways and in stations where crimes occur, as well as more cameras throughout the system, also appear to contribute to higher rates of reporting.

¹³ FTA NTD Unlinked Passenger Trips 2023 and Safety and Security Major Event Time Series 2024

¹⁴ Exhibit A

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ [NYPD Chief of Transit on X: "In calendar year 2023, NYPD cops made over 13,600 arrests in the subway system. Of these 13,600 arrests, 124 people were arrested 5 or more times in the subway system in 2023 alone. When looking further, these 124 people combined, have been arrested over 7,500 times in their https://t.co/SWqXrwXWhI" / X](https://t.co/SWqXrwXWhI)

Public Safety Initiatives

The MTA and NYPD coordinate closely to implement a wide range of initiatives that promote public safety and security.

- Increased funding, police presence, and action by law enforcement.

There are over 2,500 NYPD sworn officers assigned to the NYC transit system. The MTA Police Department (MTAPD) also deploys officers to police subway stations adjacent to commuter railroad terminals/hubs at Penn Station, Grand Central Terminal, Atlantic Terminal, and Jamaica. Over the last two years, continued commitments from the City of New York and Governor of New York to increase the presence of law enforcement have been critical to tackling crime.

From 2022 to 2024 arrests in the NYC transit system are up across-the-board, with a 158% increase in total arrests from approximately 9,060 in 2022 to over 23,420 in 2024, and a 34% increase in felony arrests from 2,850 to 3,810 over the same period¹⁸. This was made possible in part by Governor Hochul's initiatives, beginning in 2022, when she first allocated millions of dollars to increase the NYPD presence in the subway system. Over two years, the presence of uniformed officers on subway platforms surged, with 1,200 NYPD overtime shifts per day and at 300 stations during peak hours.

In addition, Governor Hochul deployed 750 National Guard members in March 2024 to support NYPD subway safety operations and committed an additional 250 National Guard members in December 2024, building on earlier deployments starting in 2022. In January 2025, Governor Hochul provided the \$77 million necessary to patrol nearly all 150 overnight subway trains with two uniformed officers per train from 9:00 p.m. to 5:00 a.m.

More recently, NYPD Commissioner Tisch announced efforts to reduce crime that include more data-driven patrol assignments to target the current high-crime stations, a reassignment of administrative officers from desk duties to increase officers on transit patrol, and a renewed effort to target quality-of-life offenses like drinking, smoking, and/or open drug use. As noted above, we are already seeing the results of increased law enforcement in the system in 2025 with lower crime rates in nearly all crime categories year-on-year.

- Capital investments to improve system security and enhance customer safety.

The Governor also committed funding to support a range of customer safety investments, including installation of brighter LED lighting in all 472 subway stations by 2026, with 250 subway stations already complete. We also are installing platform edge barriers at more than 100 stations by the end of 2025 – increasing from the 17 stations in the initial pilot program. These barriers protect riders from falling or being pushed onto the tracks – a highly infrequent occurrence, but one that can dramatically impact rider perception.

The MTA has also outlined a wide range of customer safety investments in its proposed five-year 2025-2029 Capital Plan¹⁹. These investments include \$1 billion dedicated to installing modern

¹⁸ Information on summonses and arrests are reported monthly on MTA's data dashboard at <https://metrics.mta.info/?security/summonsesandarrests> and published on NYS Open Data <https://catalog.data.gov/dataset/mta-summonses-and-arrests-beginning-2019>

¹⁹ <https://future.mta.info/capitalplan/>

fare arrays at over 150 stations serving more than 75% of total riders that make it more challenging to fare evade and illegally enter the system. While not all fare evaders are criminals, virtually all subway criminals evade the fare. The NYPD finds that many fare evaders, when stopped, have open warrants and reported that in 2023, 24 of 45 gun arrests made in the subway system resulted from fare evasion encounters, and 380, or 25% of total, cutting instrument (i.e., edged/bladed weapon) arrests in the subway system resulted from fare evasion encounters²⁰.

The proposed 2025-2029 Capital Plan also includes critical upgrades to fiber optic communications and security system, enabling more real-time monitoring and response to incidents, and improve riders' device performance, as well additional camera and surveillance technology.

▪ Programs that deliver help to the most vulnerable New Yorkers.

The MTA, in partnership with the City and State, is also focused on helping the most vulnerable New Yorkers, including individuals with severe mental illness. Since the end of 2023, Subway Co-Response Outreach Teams (SCOUT) have been deployed in all four boroughs where the subway system operates. SCOUT combines nurses from the NYC Department of Homeless Services and MTAPD officers to involuntarily or voluntarily transport people with serious mental illnesses to the hospital for evaluation. Since late 2023, the program has helped nearly 500 individuals access medical, psychiatric, or other care. Individuals are also voluntarily transported to shelter. Currently, five teams operate on weekdays, two on overnights, and an additional five teams will be deployed in the second quarter of 2025.

The SCOUT program is complemented by additional programs that assist unhoused New Yorkers and those in need of mental health support, including end-of-line deployments, the State's Safe Options Support (SOS) program, and the City's Partnership Assistance for Transit Homelessness (PATH) program. The SOS program deploys 16 teams operating in all five boroughs to canvas the subways and transit locations and has helped more than 680 individuals find permanent homes. Since launching in the summer of 2024, the City reported that PATH had conducted more than 11,000 engagements with unhoused New Yorkers and provided access to shelter, food, or care more than 3,000 times²¹ through the first few months of 2025.

d. Initiatives to Prevent Trespassing and Reduce Injuries and Fatalities

In 2021, the MTA convened a Track Trespass Task Force and the agency is implementing a range of their recommended interventions to combat unauthorized access to its subway tracks and cars through NYPD enforcement, sensors and innovative technologies, infrastructure enhancements, and customer campaigns:

- Sensors and innovative technologies to detect track trespassing. The MTA deploys technologies such as Laser Intrusion Detection Systems, which employs laser and infrared sensors to detect individuals who have entered the tracks between stations, in tunnels, or other restricted areas. This system is operational at seven locations, with seven additional

²⁰ Data provided by NYPD; Jan 1, 2023 to Dec 31, 2023

²¹ <https://www.nyc.gov/office-of-the-mayor/news/157-25/mayor-adams-keeps-mental-health-week-moving-announcing-11-000-engagements-3-000-services#/0>

locations completing installation, and 23 in construction or design. Ten more locations are “shovel ready” contingent on additional funding.

The MTA also plans to implement Track Intrusion Detection Systems, which layers video analytics and AI to detect people entering tunnels from station platforms. This new technology is under development, with five stations anticipated in 2026.

Lastly, the MTA has installed forward facing cameras with multi-sensor arrays at the front of train cars that can deploy AI analytics to detect trespassers or other track conditions. The new fleet of R211 subway cars are equipped with this technology, as will 1,500 new subway cars included in the MTA’s proposed five-year capital plan.

- Suicide awareness and prevention. Suicide is a serious public health issue in the U.S., and the MTA is tackling this issue in its system. In 2024, there were approximately 35 alleged suicides in the subway system, representing 0.0001% of the 1.1 billion subway riders last year. As a focus of the Track Trespass Task Force, the MTA has advanced a multidisciplinary effort to address suicides and attempted suicides across the system.

Working in partnership with the NYU Grossman School of Medicine Department of Psychiatry, the MTA implemented a range of physical installations and messaging. The MTA installed blue lighting at 10 high-ridership subway stations and three stations on the commuter railroad in the Bronx – a strategy employed by transit systems worldwide. The MTA also installed National Suicide Prevention Hotline signage on columns and structures throughout the subway system, with a focus on the ends of platforms, where suicides and suicide attempts are more likely.

These events can also be traumatic for our customers and our workers. When an employee is involved in an incident involving a customer suicide, NYCT provides immediate access to medical professionals specially trained in trauma response to help address the employee’s immediate needs and to assist in connecting the employee with appropriate long-term care. NYCT also provides support through its Employee Assistance Program and in-house Chaplains.

- Customer messaging and campaigns. MTA has implemented ongoing campaigns to discourage unauthorized access to NYCT subway cars and tracks. To reach young people most at risk of riding outside subway cars, audio messages recorded by high school students and celebrities are played throughout the system all day long to discourage dangerous behavior, including “subway surfing”.
- Partnership with social media to remove dangerous content. MTA also regularly meets with the major social media platforms to review their protocols and algorithms for monitoring media that promote dangerous behavior in the subway system. This partnership, with companies like Meta (Facebook, Instagram, and WhatsApp), YouTube, and TikTok, has resulted in over 11,000 posts removed from digital platforms. These companies have deployed algorithmic tools that have been extremely effective in identifying and removing posts, and work with the MTA to remove content that circumvents their AI technology. The MTA hopes to expand this partnership with more platforms, including X, which contends that the content is not violative.

- NYPD enforcement. The MTA continues to support efforts led by the NYPD on enforcement and the NYPD's approach to addressing the disheartening trend of customers riding outside of subway cars, particularly NYC's youth. In 2024, NYPD reported that arrests for subway surfing were up 70% from the prior year, and the average age of those apprehended was 14. NYPD more recently implemented the use of drone technology to monitor elevated subway lines as well as new efforts to work with families of NYC youth apprehended for riding outside subway cars. To support the NYPD's efforts, in addition to station and on-board customer messaging, the MTA is also encouraging the public to report these crimes.

2. NYCT Funds Programmed to Improve Safety and Security.

The MTA's ongoing commitment to enhancing the safety and security of its customers and employees is clearly reflected in its capital and operating priorities, and MTA consistently spends well above the minimum thresholds required by law for both safety and security per 49 U.S.C. § 5329(d)(4)(B) and 49 U.S.C. § 5307(c)(1)(J)(i) respectively. For the purpose of this response, the MTA is equating spending on crime and fare evasion with security spending, as detailed below.

a. Security

The table below summarizes 2024 actual expenditures and 2025 and 2026 budget commitments, compared to the statutory set-aside requirements. More detail on these expenditures is below. In addition, MTA spends billions of dollars annually on state of good repair and normal replacement work as well as preventive maintenance and inspections to ensure the safe and reliable operation of the system.

	Security Set Aside (1% of 5307)	
Year	Minimum Set-Aside (\$M)	Expenses (\$M)
2024 Expended	\$8.2	\$371
2025 Planned	\$8.2	\$540
2026 Planned	\$8.4	\$778

2024 expenditures were used for the investments and initiatives below, and we intend to continue expand on these types of programs in 2025 and 2026:

- Capital projects focused directly on security, including prevention of crime and fare evasion, such as electronic security systems and increased CCTV coverage in passenger stations, security systems in under-river tubes, upgraded communication infrastructure to support these systems, upgraded and expanded yard lighting and fencing to harden protection of property, and next-generation turnstiles to combat fare evasion.
- Security features that are part of larger projects, such as additional cameras, upgraded customer intercoms, and driver compartment barriers that are embedded in larger capital

projects, including new subway cars, new buses, and projects to make stations Americans with Disabilities Act (ADA) accessible.

- Operating programs to enhance security and combat fare evasion, including SCOUT teams, unarmed guards in subways and bus inspection teams to combat fare evasion, video analytics, turnstile/egress upgrades, LED lighting, property protection enforcement at employee facilities, and cybersecurity.

b. Safety

The minimum threshold for the safety set aside was \$6.1 million in 2024. MTA spent \$142.1 million, more than 23 times the minimum threshold. These funds were used for capital projects to enhance system-wide safety and emergency response, such as upgrades to fire alarms and sprinklers, fan plants for emergency ventilation, emergency exits, lighting in tunnels, radio systems, and customer communications systems. These totals do not include the billions of dollars spent annually on state of good repair and normal replacement that keep NYCT service safe and reliable.

	Safety (0.75% of 5307)	
Year	Minimum Set-Aside (\$M)	Expenses (\$M)
2024 Expended	\$6.1	\$142
2025 Planned	\$6.2	\$248
2026 Planned	\$6.3	\$627

c. Non-FTA funds

In 2024, MTA received \$19.8 million from the DHS Transit Security Grant Program (TSGP), \$1.5 million from DHS Homeland Security Grant Program (HSGP), and \$0.3 million from the Department of Justice, Bureau of Justice Assistance (BJA) Body-Worn Camera Policy and Implementation Program, described as follows:

- DHS TSGP. \$10 million in TSGP funding was dedicated to security in the transit system, including NYPD patrols²², bag screening, expansion and training of the canine unit, and cybersecurity. The balance of the 2024 TSGP funding was dedicated for security on MTA Long Island Rail Road and MTA Metro-North Railroad, the two busiest commuter rail systems in the nation.
- DHS HSGP. The \$1.5 million in HSGP funding was used for cameras in subway cars and stations, on tracks, and at tunnel portals.

²² NYPD is MTA's subgrantee for TSGP

- DOJ BIA Body-Worn Camera Program. \$289,000 in investments in body-worn camera technology.

In addition, the City of New York dedicated \$630 million for the July 2024 – June 2025 period to fund 2,730 officers to support MTA security efforts as detailed throughout this response. MTA dedicated \$240 million in calendar year 2024 to fund 1,350 MTAPD officers, who have jurisdiction on MTA's commuter railroads and at major transportation hubs (e.g., Grand Central, Penn Station), which are used by NYCT customers transferring to/from commuter rail services.

Additional Areas of Interest and Partnership

Though not requested in the March 18 letter, we would like to take this opportunity to share with you some recommendations for Federal actions that could improve safety and security for our workers and riders and, more broadly, support transit nationwide.

Increase Funding for the Transit Security Grant Program

The TSGP is severely underfunded, and annual allocations have plummeted by 75% since 2008, most recently with a 10% reduction in 2024, bringing the nationwide allocation to less than \$85 million, down from almost \$350 million in 2008.

The MTA maintains and operates over 4,000 critical infrastructure assets, including some of the busiest vehicular bridges and tunnels, subway and rail stations, and complex supporting infrastructure in the Americas. To America's adversaries, the MTA's assets offer a target-rich environment for causing serious harm to our riding public, employees, and to the massive regional economy.

As the MTA expands and modernizes its assets, the need for funding to support security and cybersecurity has increased exponentially. New classes of rail and subway cars and signal and power systems are vulnerable to a different set of compromises that require constant enhancements as bad actors are continuously refining their methods to inflict the most visible harm on our passengers and systems. Keeping up with technology allows MTA to implement the latest mitigations to counter the dynamic threat landscape we are subject to every day.

Mitigating these threats requires the implementation of the appropriate measures such as directed law enforcement patrols, blast mitigation and structural hardening, electronic security systems, and operational readiness exercises to effectively reduce risk where the vulnerability is most prevalent. While the TSGP is strictly dedicated for terrorism prevention, investments (e.g., cameras in subway cars, buses, and stations, intrusion detection systems at tunnel portals and critical facilities) have broad benefits to MTA customers and employees.

Opportunities to Improve Federal Partnership

Below are legislative and administrative recommendations to expedite federal spending on transit and/or reduce costs and staff time associated with administrative requirements – time and money that can be used on our core function of providing safe reliable transit. We would be happy to discuss any of these recommendations with you and your team.

- In general, prioritize formula funds over competitive grant programs to push funds into the economy more quickly and give transit agencies more predictability. The Capital Investment Grant Program should remain intact given its role in advancing projects with large economic impact.
- Approve the pending waiver request to the Federal Motor Carrier Safety Administration to exempt transit bus operators from the Commercial Driver License “under the hood” requirement, which costs MTA \$4m annually, even though our bus drivers are not allowed to make mechanical repairs.
- To advance projects more quickly, develop new categorical exclusions for transit projects that satisfy state environmental review requirements and allow State Historic Preservation Offices to coordinate directly with grantees rather than through USDOT.
- Ask the Federal Communications Commission to approve MTA’s waiver request to allow us to continue deployment of Communications Based Train Control (CBTC) in the 4.9 GHz band. CBTC improves safety and increases capacity in the subway system, and failure to secure the waiver before the FCC’s June 9 deployment deadline would jeopardize efforts to modernize the subway signal system, portions of which are more than 100 years old.
- To support the long-term stability of the American rolling stock and bus manufacturing industries, eliminate the 7-year limitation on exercising options, allow for automatic grant adjustments to account for inflation, and provide tax incentives to railcar and bus builders and tier 1 and 2 suppliers to increase domestic production.
- Seek opportunities to reduce duplicative reporting across federal agencies. (e.g., cybersecurity incidents are reported to FTA, to the Transportation Security Administration and to the Cybersecurity and Infrastructure Security Agency.)
- Ensure Amtrak is focused on efficient project delivery and encourage use of third-party labor if Amtrak lacks internal personnel.
- Rescind FTA’s December 2024 policy statement that narrows the applicability of the “Taxicab Exception,” reducing the transit industry’s ability to utilize private on-demand car services (e.g., Uber, Lyft) to provide paratransit services.

Exhibit A. NYPD Crime Statistics



Police Department
City of New York

REPORT

JANUARY-DECEMBER

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Murder	4	1	5	2	2	2	4	3	5	2	4	2	2	2	1	2	1	2	2	2	0	1	3	6	8	10	5	10
Rape	3	14	1	6	2	0	3	3	3	4	1	3	2	1	3	10	5	5	1	0	7	2	3	7	8	12	5	6
Robbery	2216	1860	1708	1363	1200	1249	1136	1083	1097	975	794	831	710	714	787	785	612	439	527	464	450	485	546	572	529	605	543	455
Assault	501	418	411	357	268	303	257	281	229	192	209	183	155	192	203	205	198	228	260	313	340	370	373	359	461	556	576	580
Burglary	31	16	12	12	41	18	7	6	1	5	3	5	2	3	10	27	32	19	24	19	25	11	7	23	6	7	17	13
GL	3463	2483	2382	2522	2243	2133	1821	1910	1765	1525	1344	1304	1178	1281	1552	1705	1771	1562	1693	1636	1652	1700	1567	781	766	1143	1191	1149
TOTAL MAJOR FELONIES	6218	4792	4519	4262	3756	3705	3218	3286	3100	2703	2355	2328	2049	2193	2556	2734	2619	2255	2507	2434	2474	2569	2499	1748	1778	2333	2337	2213
Major Fel Per Day	17.04	13.13	12.38	11.64	10.29	10.15	8.82	8.98	8.49	7.41	6.45	6.36	5.61	6.01	7.00	7.47	7.18	6.18	6.87	6.65	6.78	7.04	6.85	4.79	4.87	6.39	6.40	6.06

Exhibit A. NYPD Crime Statistics



Police Department City of New York

REPORT

JANUARY - FEBRUARY

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Murder	0	0	2	0	0	0	0	1	2	1	1	0	1	0	0	0	0	0	0	0	0	0	1	0	2	2	1	3	0
Rape	1	1	0	1	1	0	1	0	1	1	0	2	0	0	0	1	1	3	0	0	0	0	1	2	1	2	1	1	1
Robbery	491	316	267	230	200	200	192	172	205	174	131	128	123	127	115	174	97	88	70	79	61	76	84	151	94	130	86	89	90
Assault	65	76	64	62	46	38	33	42	47	22	33	29	33	30	39	26	29	26	32	55	60	52	58	76	79	87	80	90	84
Burglary	9	4	0	2	1	0	2	0	0	0	0	2	0	2	0	0	2	4	1	5	3	2	2	1	3	2	2	4	1
GL	486	405	333	356	355	329	257	296	324	182	183	223	213	176	201	286	284	270	221	252	268	239	244	294	76	180	157	181	144
TOTAL MAJOR FELONIES	965	802	666	651	611	575	485	511	579	380	358	384	370	335	355	487	413	391	324	391	392	369	390	524	217	383	327	368	280
Major Fel Per Day	16.36	13.59	11.29	11.03	10.36	9.75	8.22	8.66	9.81	6.44	6.07	6.51	6.27	5.68	6.02	8.25	7.00	6.63	5.49	6.63	6.64	6.25	6.61	8.73	3.62	6.38	5.45	6.13	4.75

Exhibit A. NYPD Crime Statistics

The following information was prepared by NYPD:

Felony Assaults on MOS (NYPD Officers) for calendar years 2022, 2023, 2024, and YTD 2025

2022: 103

2023: 100

2024: 179

2025: 38 (ENDING 3/16/25)

Felony assaults on MTA employees for calendar years 2022, 2023, 2024, and YTD 2025

2022: 46

2023: 60

2024: 40

2025: 3 (ENDING 3/16/25)

Year-end totals for 2022, 2023, 2024, and YTD 2025

	Total Arrest	Felony	Fare Evasion Arrests (Non-Bus)	Fare Evasion TABs	Fare Evasion C's
2022	9063	2846	2122	86880	1105
2023	14029	3412	4954	124852	1315
2024	23421	3811	10804	139078	1779
2025	7256	944	3458	24150	442

Exhibit B. Open Data and Additional Links

- NYPD Crime data: <https://www.nyc.gov/site/nypd/stats/crime-statistics/compstat.page>
 - NYPD can direct to additional resources and statistics on crime
- MTA Data Dashboard with multiple datasets referenced in this document: [Metrics.mta.info](https://metrics.mta.info)
- MTA Monthly Board and Committee Meetings: [MTA Board and committee meetings](#)
 - Crime statistics on NYCT are reported monthly at NYCT Committee meetings
- [Subway and Bus Vandalism: Beginning 2021](#)
- [Bridges & Tunnels Roadway Interdictions of Persistent Toll Violators: Beginning 2017](#)
- [Major Felonies](#)
- [NYCT Safety Data: Beginning 2019](#)
- [Workplace Violence Penal Law Incidents: Beginning 2019](#)
- [Subway and Bus Lost Time Accidents: Beginning 2021](#)
- [NYCT Subway Fare Evasion: Beginning 2018](#)
- [Workplace Violence Labor Law Incidents: Beginning 2019](#)
- [Metro-North Safety and Grade Crossing Incidents: Beginning 2019](#)
- [Bus Fare Evasion: Beginning 2019](#)
- [LIRR Delays \(Archived Methodology\): 2015 - 2022](#)
- [Metro-North Safety Indicators: Beginning 2019](#)
- [LIRR Safety and Grade Crossing Incidents: Beginning 2019](#)
- [LIRR Delays: Beginning 2010](#)
- [Metro-North Delays: Beginning 2012](#)
- [Subway Major Incidents: 2015-2019](#)
- [LIRR Delay Verification: Beginning 2010](#)
- [Metro-North Delay Verification: Beginning 2012](#)
- [LIRR Major Incidents: Beginning 2020](#)
- [Subway Trains Delayed: Beginning 2025](#)
- [Key Performance Indicators: 2008-2021](#)
- [Metro-North Major Incidents: Beginning 2022](#)
- [Subway Major Incidents: Beginning 2025](#)
- [Subway Major Incidents: Beginning 2020](#)
- [LIRR Safety Indicators: Beginning 2019](#)
- [Bridges & Tunnels Safety Indicators: Beginning 2018](#)
- [Summonses and Arrests: Beginning 2019](#)
- [Blue-Ribbon Report on MTA Fare and Toll Evasion](#)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

METROPOLITAN TRANSPORTATION AUTHORITY
and TRIBOROUGH BRIDGE AND TUNNEL
AUTHORITY,

Plaintiffs,

and

NEW YORK STATE DEPARTMENT OF
TRANSPORTATION, RIDERS ALLIANCE, SIERRA
CLUB, and NEW YORK CITY DEPARTMENT OF
TRANSPORTATION,

Intervenor-Plaintiffs,

v.

SEAN DUFFY, in his official capacity as Secretary of
the United States Department of Transportation,
GLORIA M. SHEPHERD, in her official capacity as
Executive Director of the Federal Highway
Administration, UNITED STATES DEPARTMENT
OF TRANSPORTATION, and FEDERAL HIGHWAY
ADMINISTRATION,

Defendants.

Case No. 25 Civ. 1413 (LJL)

**ORAL ARGUMENT
REQUESTED**

**MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFFS
THE METROPOLITAN TRANSPORTATION AUTHORITY AND
TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY AND INTERVENOR-
PLAINTIFF NEW YORK CITY DEPARTMENT OF TRANSPORTATION'S
MOTION FOR A PRELIMINARY INJUNCTION**

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Plaintiffs the Metropolitan Transportation Authority (“MTA”) and Triborough Bridge and Tunnel Authority (“TBTA”), an MTA affiliate, and Intervenor-Plaintiff New York City Department of Transportation (“NYCDOT”) respectfully submit this memorandum of law in support of their motion for a preliminary injunction enjoining the illegal, arbitrary, and unfounded withholding of federal transportation project approvals and funding, and other unlawful acts intended to coerce the cessation of the Central Business District (“CBD”) Tolling Program (“Program” or “congestion pricing”).

PRELIMINARY STATEMENT

On January 5, 2025, after more than five years of engagement with and reliance on the federal government and its longstanding interpretation of the statute establishing the Value Pricing Pilot Program (“VPPP”)—including during the first Trump Administration—New York launched congestion pricing. The Program is a long-sought-after effort to reduce traffic congestion in the New York City metropolitan area by implementing a market-based, user-pay solution that charges drivers a toll to enter the CBD (Manhattan at and below 60th Street), and then uses the revenue from those tolls to improve and expand the region’s aging public transportation system, particularly the NYC subway. This method of tolling, also known as “congestion pricing,” has been successful in big cities around the world including London, Milan, Singapore, and Stockholm, and was first conceived of here in New York City at Columbia University in the 1950s as a solution to what even then was perceived to be the region’s significant congestion woes. As of today, only four months into the Program, the available data, not to mention simply looking at the streets, show that the Program is working: traffic in the CBD has dropped, commute times have fallen, vehicle speeds (including for public buses) have increased, more people are visiting Manhattan’s commercial districts and supporting the region’s businesses, and the MTA’s regional public transit system is seeing increased ridership and benefiting from increased funding.